UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,436	12/03/2003	Ajay Garg	20002/17848	5824

34431   7590   12/11/2007

HANLEY, FLIGHT & ZIMMERMAN, LLC
150 S. WACKER DRIVE
SUITE 2100
CHICAGO, IL 60606

EXAMINER
PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
2132	

MAIL DATE	DELIVERY MODE
12/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/726,436	GARG ET AL.
	Examiner	Art Unit	
	Venkat Perungavoor	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 October 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,4-8,17,19-24 and 26-35</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,5,7-8,17,19-21, 23-24, 26-28, 30-35</u> is/are rejected.

7)☒ Claim(s) <u>4,6,22 and 29</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>10/26/07</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1, 3-9, 11-18, 20-25, and 27-30 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section
102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the
subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary
skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the
invention was made.

Claims 1, 5, 7-8, 17, 20-21, 23-24, 27-28, 31-35, are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Patent 7051367 to Krishnaswamy et al.(hereinafter Krishnaswamy) in

view of Extensible Firmware Interface to Doran.

Regarding Claim 1, Krishnaswamy discloses the identifying a packet associated with an

processor see Col 5 Ln 7-11 & Fig. 3 item 42; identifying the packet with security conditions

based on protocols see Col 5 Ln 44-52. But does not explicitly disclose the security protocols

associated with an extensible firmware interface(EFI). However, Doran discloses the

extensible firmware interface and associated platform-level network security protocol see

Slide "What is EFI ?: Services and Protocols- **Protocol**". It would be obvious to one having

ordinary skill in the art at the time of the invention to include the extensible firmware

interface and associated platform-level network security protocol in the invention of

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1, 3-9, 11-18, 20-25, and 27-30 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 5, 7-8, 17, 20-21, 23-24, 27-28, 31-35, are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Patent 7051367 to Krishnaswamy et al.(hereinafter Krishnaswamy) in

view of Extensible Firmware Interface to Doran.

Regarding Claim 1, Krishnaswamy discloses the identifying a packet associated with an

processor see Col 5 Ln 7-11 & Fig. 3 item 42; identifying the packet with security conditions

based on protocols see Col 5 Ln 44-52. But does not explicitly disclose the security protocols

associated with an extensible firmware interface(EFI). However, Doran discloses the

extensible firmware interface and associated platform-level network security protocol see

Slide "What is EFI ?: Services and Protocols- **Protocol**". It would be obvious to one having

ordinary skill in the art at the time of the invention to include the extensible firmware

interface and associated platform-level network security protocol in the invention of

Krishnaswamy in order to a simplified design as taught in Doran see Slide What is EFI ?: Services and Protocols- **Protocol Example**.

Regarding Claim 5, 23, Krishnaswamy discloses the pointers being used in the PSR table to configure the routers see Col 5 Ln 7-11.

Regarding Claim 7, 20, 27, 34, Krishaswamy discloses the queues being used for packets see Fig. 5 item 82.

Regarding Claim 8, 21, 28, 33, Krishnaswamy discloses the deny condition resulting in sleeping(not accepting packets) of the processor see Fig. 5 item 90.

Regarding Claim 17, 31, Krishnaswamy discloses the network interface(Fig. 1 item 60); interrupt handler to receive interrupt request(see Fig. 3 item 48); network driver(Fig. 2 item 22) to identify a packet associated with an processor see Col 5 Ln 7-11 & Fig. 3 item 42, and identifying the packet with security conditions based on protocols see Col 5 Ln 44-52. But does not explicitly disclose the security protocols associated with an extensible firmware interface(EFI). However, Doran discloses the extensible firmware interface and associated platform-level network security protocol see Slide "What is EFI ?: Services and Protocols- **Protocol**". It would be obvious to one having ordinary skill in the art at the time of the invention to include the extensible firmware interface and associated platform-level network

security protocol in the invention of Krishnaswamy in order to a simplified design as taught in Doran see Slide What is EFI ?: Services and Protocols- **Protocol Example**.

Regarding Claim 24, Krishnaswamy discloses the network interface(Fig. 1 item 60; processor(Fig. 3 item 64) to identify a packet associated with an processor see Col 5 Ln 7-11 & Fig. 3 item 42, and identifying the packet with security conditions based on protocols see Col 5 Ln 44-52. But does not explicitly disclose the security protocols associated with an extensible firmware interface(EFI). However, Doran discloses the extensible firmware interface and associated platform-level network security protocol see Slide "What is EFI ?: Services and Protocols- **Protocol**". It would be obvious to one having ordinary skill in the art at the time of the invention to include the extensible firmware interface and associated platform-level network security protocol in the invention of Krishnaswamy in order to a simplified design as taught in Doran see Slide What is EFI ?: Services and Protocols-**Protocol Example**.

Regarding Claim 30, 32, Doran discloses the globally unique identifier to execute a security function see Slide "What is EFI? **GUID**".

Regarding Claim 35, Krishnaswamy does not disclose the configuration table IP information see Col 4 Ln 58-63 & Fig. 2 item 29.

Claims 2, 19, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent

7051367 to Krishnaswamy et al.(hereinafter Krishnaswamy) in view of US Patent 5748980 to

Lipe et al.(hereinafter Lipe).

Regarding Claim 2, 19, 26, Krishnaswamy does not explicitly disclose the pre-boot

environment and post boot environment. However, Lipe discloses the pre-boot

environment with configuration data see Fig. 4B item 64 and post-boot environment identify

the device drivers for buses see Fig. 4B item 70. It would be obvious to one having ordinary

skill in the art at the time of the invention to include the pre-boot and post-boot

environment in the invention of Krishnaswamy in order to have no conflict in resources as it

occurs during boot-time as taught in Lipe see Fig. 4B item 60.

Allowable Subject Matter

Claims 4, 6, 22, 29, objected to as being dependent upon a rejected base claim, but would be

allowable if rewritten in independent form including all of the limitations of the base claim

and any intervening claims.

Closer inspection of the Claims 4, 6, 22, and 29 reveals that neither Krishnaswamy nor

Doran disclose configuration table having platform-level network security protocols

associated with a firewall, a virtual private network or an Internet Security framework for an

EFI enviroment. Although Krishnaswamy discloses a protocols for firewall(BGP), virtual

private network(telnet), and Internet Protocol Security framework(TCP/IP) see Col 3 Ln 22-

35;but does not disclose a configuration table containing platform-level network security

protocols [1] in a Extensible Firmware Interface(EFI) context.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Venkat Perungavoor whose telephone number is 571-272-7213. The

examiner can normally be reached on 8:30-5:00.If attempts to reach the examiner by

telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on

571-272-3799. The fax phone number for the organization where this application or

proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-

217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-9199 (IN USA

OR CANADA) or 571-272-1000.

/VP/
Venkat Perungavoor
Examiner

GILBERTO BARRON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

---

[1] Platform-level protocol is defined as protocols that function of different platforms(Windows, UNIX) see Spec Page 6 Par. 0018.